

**Astoria Cove**

**CHAPTER 22: UNAVOIDABLE ADVERSE IMPACTS**

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**A. INTRODUCTION**

According to the *City Environmental Quality Review (CEQR) Technical Manual*, unavoidable significant adverse impacts are defined as those that meet the following two criteria:

- There are no reasonably practicable mitigation measures to eliminate the impacts; and
- There are no reasonable alternatives to the proposed project that would meet the purpose and need of the action, eliminate the impact, and not cause other or similar significant adverse impacts.

As described in Chapter 20, “Mitigation,” the Proposed Action would result in significant adverse impacts with respect to community facilities, active open space, transportation, noise, and construction traffic.

To the extent practicable, mitigation has been proposed for these identified significant adverse impacts. However, in some instances no practicable mitigation was identified to fully mitigate significant adverse impacts, and there are no reasonable alternatives to the proposed project that would meet its purpose and need, eliminate its impacts, and not cause other or similar significant adverse impacts. In other cases, mitigation has been proposed, but absent a commitment to implement the mitigation, the impacts would not be eliminated.

**B. COMMUNITY FACILITIES**

**Public Elementary Schools**

As discussed in Chapter 4, “Community Facilities,” the Proposed Action would include a site for a 456-seat elementary school, which would add much-needed elementary school capacity to Community School District (CSD) 30, Sub-district 3 and lower the future elementary school utilization rate, compared to the 2023 No-Action condition. The elementary school will be constructed pursuant to a Letter of Intent (LOI), dated April 17<sup>th</sup>, 2014, entered into between the Applicant and the School Construction Authority (SCA). The Restrictive Declaration entered into in connection with the project will require the Applicant to work with the SCA in accordance with the terms set forth in the LOI to implement construction of the elementary school, which is contemplated for purposes of this environmental review in the final phase of the proposed project’s development, as outlined in the Uniform Land Use Review Procedure (ULURP) Phasing Plan. Therefore, as outlined in Chapter 4, the Proposed Action would result in a temporary significant adverse impact on CSD 30, Sub-district 3 elementary schools upon occupancy of Building 2. The Proposed Action would not result in any significant adverse impacts on intermediate schools or high schools.

To mitigate the potential temporary significant adverse elementary school impact, the proposed 456-seat elementary school would need to be constructed prior to completion and occupancy of Building 2. Absent this change in the proposed project’s phasing schedule, a temporary unmitigated significant adverse impact to elementary schools would result.

## Child Care

Following *CEQR Technical Manual* methodology, the proposed project would result in a significant adverse impact to publicly funded child care facilities. As discussed in Chapter 20, “Mitigation,” mitigation measures for this significant adverse impact will possibly include adding capacity to existing facilities if determined feasible through consultation with the New York City Administration of Children’s Services (ACS) or providing a new child care facility within or near the project site. As a City agency, ACS does not directly provide new child care facilities, but, rather, contracts with providers in areas of need. ACS is also working to create public-private partnerships to facilitate the development of new child care facilities where there is an area of need. As part of this initiative, ACS may be able to contribute capital funding, if it is available, towards such projects to facilitate the provision of new facilities.

However, as the demand for publicly funded child care depends not only on the amount of residential development in the area but also on the proportion of new residents who are children of low-income families (not all children meet the social and income eligibility criteria), at this point it is not possible to know exactly what type of mitigation would be appropriate or when its implementation would be necessary. Furthermore, several factors may limit the number of children in need of publicly funded child care slots in ACS-contracted facilities, including the potential for future residents to make use of family-based child care facilities, private child care facilities, or child care centers outside of the study area.

The Restrictive Declaration for the proposed project will require the Applicant implement one or more of the mitigation measures identified in Chapter 20, “Mitigation.” Absent the implementation of such needed mitigation measures, the proposed project could have an unmitigated significant adverse impact on publicly funded child care facilities.

## C. OPEN SPACE

As discussed in Chapter 5, “Open Space,” as the Proposed Action would result in a substantial decrease in the active open space ratio in the residential study area, and the active open space ratio would be below the City’s guideline ratio in the future, the Proposed Action would result in a significant adverse active open space impact. In order to address the significant adverse impact on active open space, the Applicant would be required to upgrade or replace adult fitness equipment and construct a comfort station at Whitey Ford Field. These improvements would increase the utility of Whitey Ford Field and its capacity to meet the active open space needs of the study area, and therefore would constitute partial mitigation of the potential significant adverse impact on active open space. Improvements to Whitey Ford Field would occur during Phase 3 of the proposed ULURP Phasing Plan (i.e., before a Temporary Certificate of Occupancy is granted for the 688<sup>th</sup> DU). As the implementation of the above-described measures would constitute partial mitigation of the potential significant adverse impact on open space, the Proposed Action would result in an unavoidable adverse impact on open space.

## D. TRANSPORTATION

### Traffic

As discussed in Chapter 13, “Transportation,” and Chapter 20, “Mitigation,” in the 2023 future, vehicle volumes in the traffic study area are expected to increase due to both the Astoria Cove and nearby Halletts

Point project. As such, in addition to the reasonable worst-case development scenario (RWCDS) No-Action and With-Action conditions, an alternate future condition without the Halletts Point development and the associated traffic mitigation measures identified in the 2013 *Halletts Point Rezoning FEIS* was conducted to determine whether the disclosed impacts would occur absent the Halletts Point development. Potential significant adverse traffic impacts were identified at a number of locations in the traffic study area under the future With-Action condition, with slightly fewer anticipated absent the Halletts Point development.

Many of the intersections expected to experience significant adverse traffic impacts could be mitigated through implementation of standard traffic improvements such as installing traffic signals at currently unsignalized intersections, modifying signal timing, changing parking regulation to gain a travel lane at key intersections, and restriping lanes. However, as described below, in some cases, traffic impacts from the proposed project would not be fully mitigated in the RWCDS With-Action condition and/or the Alternate With-Action condition.

Specifically, 16 of the 30 analyzed intersections that would have significant adverse traffic impacts in the future With-Action condition could not be fully mitigated in at least one weekday peak hour, and four of the 13 intersections included in the weekend analysis could not be mitigated in the Saturday midday peak hour. In comparison, should Halletts Point not be completed by the 2023 Build Year (the Alternate With-Action condition), seven of the 30 study area intersections that would have significant adverse traffic impacts could not be fully mitigated in at least one weekday peak hour, and one of the 13 intersections for the weekend analysis could not be fully mitigated in the Saturday midday peak hour. Table 22-1, below, compares the intersections where significant adverse traffic impacts could not be fully mitigated in at least one peak hour in one or more of the future conditions. Because these impacts would not be fully mitigated, they are considered unavoidable adverse impacts.

## **Transit**

### ***Bus Line Haul***

As described in Chapter 13, “Transportation,” the Proposed Action would result in potential significant adverse bus line haul impacts on the southbound Q103 during the weekday AM peak hour and on the northbound and southbound Q103 during the weekday PM peak hour. NYCT and MTA Bus routinely monitor changes in bus ridership and, subject to the agencies’ fiscal and operational constraints, make necessary service adjustments where warranted. As discussed in Chapter 20, “Mitigation,” the identified potential impacts could be mitigated if increased service adjustments are made. If adjustments are not made, these impacts would be considered unavoidable.

## **E. CONSTRUCTION IMPACTS**

### **Transportation**

As discussed in Chapter 19, “Construction,” the highest amount of construction traffic associated with construction of the proposed project is anticipated in the fourth quarter of 2022. Incremental vehicle trips (including both construction-related and operational trips) in the 2022 (Q4) construction traffic period are expected to result in significant adverse impacts at three of the five intersections analyzed for potential construction traffic-related impacts. At all other study area intersections where significant adverse traffic impacts are anticipated for the proposed project’s full build, similar or lesser impacts are anticipated. By applying early the same mitigation measures as those proposed for the proposed project’s full build-out, two of the three impacted intersections would be fully mitigated. However, the anticipated significant

adverse impact at the intersection of 27<sup>th</sup> Avenue and 4<sup>th</sup> Street would be only partially mitigated during the 3-4 PM construction peak hour. Because the traffic impact at this location could not be fully mitigated, it is considered an unavoidable adverse impact. This same location would also not be fully mitigated in the 2023 full build-out conditions.

**Table 22-1: Comparison of Unmitigated or Partially Mitigated Intersections under the RWCDs With-Action Condition and the Alternate With-Action Condition**

Intersection	RWCDS With-Action Condition	Alternate With-Action Condition
2. 27 <sup>th</sup> Avenue & 4 <sup>th</sup> Street	Partially mitigated in the <u>weekday PM and Saturday midday</u> peak hours	-
4. 27 <sup>th</sup> Avenue & 12 <sup>th</sup> Street	<u>Partially mitigated in the weekday AM peak hour</u> ; Unmitigated in the <u>weekday PM peak hour</u>	-
5. 27 <sup>th</sup> Avenue & 14 <sup>th</sup> Street	Partially mitigated in the <u>weekday AM peak hour</u>	-
7. Astoria Boulevard & 21 <sup>st</sup> Street	Partially mitigated in the <u>weekday AM and Saturday midday</u> peak hours; Unmitigated in the <u>weekday PM peak hour</u>	Partially mitigated in the <u>weekday AM and PM peak hours</u>
9. Astoria Boulevard & Crescent Street	Partially mitigated in the <u>weekday AM peak hour</u>	-
10. Astoria Boulevard & 27 <sup>th</sup> Street	Partially mitigated in the <u>weekday AM peak hour</u>	-
12. Astoria Boulevard & 29 <sup>th</sup> Street	-	Partially mitigated in the <u>weekday AM peak hour</u>
14. Astoria Boulevard & 31 <sup>st</sup> Street	<u>Partially mitigated in the weekday AM peak hour</u>	-
<u>15. Hoyt Avenue South/Astoria Boulevard &amp; 33<sup>rd</sup> Street</u>	<u>Partially mitigated in the weekday AM peak hour</u> ; Unmitigated in the <u>Saturday midday peak hour</u>	<u>Partially mitigated in the weekday AM peak hour</u> ; Unmitigated in the <u>Saturday midday peak hour</u>
18. Astoria Boulevard North & 32 <sup>nd</sup> Street	Partially mitigated in the <u>weekday PM peak hour</u>	-
<u>19. Astoria Boulevard North &amp; 8<sup>th</sup> Street</u>	<u>Partially mitigated in the weekday PM peak hour</u>	
20. 30 <sup>th</sup> Avenue & 14 <sup>th</sup> Street	Unmitigated in the <u>weekday AM peak hour</u>	Unmitigated in the <u>weekday AM peak hour</u>
22. Vernon Boulevard & Welling Court/8 <sup>th</sup> Street	<u>Partially mitigated in the weekday AM, midday, and PM peak hours</u>	Partially mitigated in the <u>weekday PM peak hour</u>
24. Hoyt Avenue North & 21 <sup>st</sup> Street	Partially mitigated in the <u>weekday AM and PM and Saturday midday</u> peak hours	Partially mitigated in the <u>weekday AM and PM peak hours</u>
25. Hoyt Avenue South/Astoria Park South & 21 <sup>st</sup> Street	Unmitigated in the <u>weekday AM peak hour</u>	-
27. Vernon Boulevard & 31 <sup>st</sup> Avenue	Unmitigated in the <u>weekday AM and PM peak hours</u>	-
<u>28. Vernon Boulevard &amp; Broadway/11<sup>th</sup> Street</u>	<u>Partially mitigated in the weekday AM peak hour</u>	<u>Partially mitigated in the weekday AM peak hour</u>